

CONTRACT AGREEMENT

THIS AGREEMENT made this 28th day of October 2019 between CITY GOVERNMENT OF ALAMINOS, represented by City Mayor ARTH BRYAN C. CELESTE, with an office address at Alaminos City Hall Building, (herein after called the "Entity") and JONARRAH BUILDERS, represented by JONATHAN CLARK S. CALICDAN with an office address at Alaminos City, Pangasinan (herein called "the Contractor").

WHEREAS, the Entity is desirous that the Contractor execute the COMPLETION OF MULTI-PURPOSE BUILDING PHASE II AT BARANGAY PLAZA, BRGY. QUIBUAR, ALAMINOS CITY, PANGASINAN and the Entity has accepted the Bid for ONE MILLION SIX HUNDRED EIGHTEEN THOUSAND NINE HUNDRED TWENTY-EIGHT PESOS & 06/100 ONLY (P 1,618,928.06) by the Contractor for the execution and completion of such Works and the remedying of any defects therein.

NOW THIS AGREEMENT WITNESSETH AS FOLLOWS:

1. In this Agreement, words and expressions shall have the same meanings as are respectively assigned to them in the Conditions of Contract hereinafter referred to.
2. The following documents shall be attached, deemed to form, and be read and construed as part of this Agreement, to wit:
 - a. General and Special Conditions of Contract;
 - b. Drawings/Plans;
 - c. Specifications;
 - d. Invitation to Apply for Eligibility and to Bid;
 - e. Instructions to Bidders;
 - f. Bid Data Sheet;
 - g. Addenda and/or Supplemental/Bid Bulletins, if any;
 - h. Bid form, including all the documents/statements contained in the Bidder's bidding envelopes, as annexes;
 - i. Eligibility requirements and/or statements;
 - j. Performance Security;

J.1. The Performance security shall be in an amount equal to a percentage of the total contract price in accordance with the following schedule:

Form of Performance Security	Amount of Performance Security(Equal to Percentage of the Total Contract Price)
Cash or cashier's/manager's check issued by a Universal or Commercial Bank	Ten percent (10%)
Bank draft/guarantee or irrevocable letter of credit issued by a Universal or Commercial Bank: Provided, however, that it shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank	Ten percent (10%)
Surety bond callable upon demand issued by a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	Thirty percent (30%)
Any combination of the foregoing.	Proportionate to share of form with respect to total amount of security


ARTH BRYAN C. CELESTE
City Mayor


JONATHAN CLARK S. CALICDAN
Proprietor/Manager

J.2. The Performance security shall be denominated in Philippine Pesos and posted in favor of the procuring entity, which shall be forfeited in the event it is established that the Contractor is in default in any of its obligations under this contract.

J.3. The Performance Security shall remain valid until issuance by the Procuring Entity of the Final Certificate of Acceptance.

- k. Credit line issued by a licensed bank, if any;
- l. Notice of Award of Contract and Bidder's conforme thereto;
- m. Other contract documents that may be required by existing laws and/or Entity.

3. The whole works of the project as covered by this contract shall be completed within the period of Eighty calendar days, based on the date of the Notice to Proceed (NTP) to be issued by the Entity to the Contractor.

4. To guarantee that the contractor shall perform his responsibilities as prescribed in Section 62.2.3.1 (a) of the Revised Implementing Rules and Regulations (IRR), it shall be required to post a warranty security, to wit:

a. Amount of Warranty Security

Form of Warranty Security	Amount of Warranty Security(Equal to Percentage of the Total Contract Price)
Cash or Letter of Credit issued by a Universal or Commercial Bank: Provided, however, that the Letter of Credit shall be confirmed or authenticated by a Universal or Commercial Bank, if issued by a foreign bank	Five percent (5%)
Bank guarantee confirmed by a Universal or Commercial Bank	Ten percent (10%)
Surety bond callable upon demand issued by GSIS or a surety or insurance company duly certified by the Insurance Commission as authorized to issue such security.	Thirty percent (30%)

b. For biddings conducted by LGU's, the contractor may also submit warranty securities in the form of bank guarantee or letter of credit from other banks certified by the BSP as authorized to issue such financial instrument.

c. The warranty security shall be denominated in Philippine Pesos, remain effective for one (1) year from the date of issuance of the Certificate of Final Acceptance by the procuring entity, and returned only after the lapse of the said one (1) year period.


5. In consideration of the payments to be made by the Entity to the Contractor as hereinafter mentioned, the Contractor hereby covenants with the Entity to execute and complete the Works and remedy any defects therein in conformity with the provisions of this Contract in all respects.

6. The Entity hereby covenants to pay the contractor in consideration of the execution and completion of the Works and the remedying of defects wherein, the Contract Price or such other sum as may become payable under the provisions of the Contract at the times and in the manner prescribed by the Contract.

7. This contract is binding and valid upon approval.

IN WITNESS whereof the parties thereto have caused this Agreement to be executed the day and year first before written.

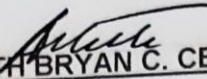

ARTH BRYAN C. CELESTE
City Mayor


JONATHAN CLARK S. CALICDAN
Proprietor/Manager

Signed, Sealed, and Delivered LGU-CITY OF ALAMINOS (For the Entity)

Signed, sealed, delivered by JONARRAH BUILDERS (for the Contractor).

Binding Signature of **PROCURING ENTITY**


ARTH BRYAN C. CELESTE

Binding Signature of **CONTRACTOR**


JONATHAN CLARK S. CALICDAN

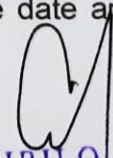
WITNESSES:

ACKNOWLEDGEMENT

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF PANGASINAN) S.S.
CITY OF ALAMINOS)

BEFORE ME, a Notary Public for and in City of Alaminos on this 28th day of October 2019 personally appeared **ARTH BRYAN C. CELESTE**, City Mayor of the City of Alaminos, with valid ID No. EC 4204988 and valid until May 18, 2020 and **JONATHAN CLARK S. CALICDAN**, with valid ID No. 0118987 and valid until August 11, 2020 known to me and known to be the same persons who executed the foregoing instrument and acknowledged to me that the same is their free and voluntarily act and deed that of the offices they respectively represent.

IN WITNESS WHEREOF, I hereby affix my signature of the date and at the place above written.


ATTY. CIRILO B. RADO
NOTARY PUBLIC
UNTIL DEC. 31, 2019
PTR No. 0571996
ALAMINOS CITY, PANG.
IBP LIFETIME No. 08511
ROLL No. 32293
NC.No. -2018-010-A

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